IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

WA.No. 2607 of 2002(A)

AGAINST THE JUDGEMENT IN OP.28266/2002
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APPELLANT: PETITIONERS:
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1. PADMAVATHY C.R.,
PULIKKAL HOUSE, KARUMANNOOR P.O.,
IDUKKI DISTRICT.

2. SHANSI P.GEORGE,
NAVALLIL HOUSE, KOTTARINJI P.O.,
PIN-673 604, CALICUT DIST.

3. REETHA JOSEPH,
MADASSERI HOUSE, KAKKAYAM P.O.,
KARIYATHUMPARA, CALICUT DIST.-673 615.

4. JIJI AUGUSTINE,
KUNNATH HOUSE, CHELLAMKODE P.O.,
VADUVANCHAL (VIA), WAYANADU DISTRICT,
PIN-673 581.

5. BINDHUMOL T.K.,
SRAYAS, CHUNKAM, THAMARASSERY P.O.,
PIN-673 573, CALICUT.

6. POULIN K.JOSEPH,
VADAKKEDATHIL HOUSE, KUTTIKKATTOOR P.O.,
KURACHAKKAL PADAM, CALICUT-673 008.

7. TESSY M.GEORGE,
KARIMATTATHIL HOUSE, CHELAVOOR P.O.,
KALANDILTHAZHAM, CALICUT.

8. BINDU JOSE, JOE VILLA,
NEAR KAMANAPALAM, CHERUVANNUR P.O.,PIN-673 631,
FEROKE, CALICUT DISTRICT.

BY ADV. SRI.K.RADHAKRISHNAN NAIR
SRI.S.SAJU

RESPONDENTS: RESPONDENTS:
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1. DISTRICT MEDICAL OFFICER,
KOZHIKODE.

2. DIRECTOR OF HEALTH SERVICE,
THIRUVANANTHAPURAM.

3. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
FAMILY & HEALTH DEPARTMENT, THIRUVANANTHAPURAM.

4. PUBLIC SERVICE COMMISSION,
THIRUVANANTHAPURAM.

R1 TI R3 BY GOVT PLEADER SRI BENNY GERVASIZ
R4 BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD
ON O1/06/2007, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN & ANTONY DOMINIC, JJ.

Writ Appeal No 2607 of 2002

Dated: 1st June, 2007

JUDGMENT

Radhakrishnan,J.

Writ petition is preferred by the appellants seeking a writ of mandamus directing the respondents to reinstate them and regularise their service in the post of Staff Nurse and also for other consequential benefits. Learned single judge found no reason to grant the reliefs prayed for especially in view of G.O.(P) No 39/2002/P&ARD dated 26.08.2002. Further learned Government Pleader submitted that appellants are not entitled to get the benefit of the government order and hence there is no question of reinstatement of the appellants in service or their regularisation. The appeal therefore lacks merits and it is dismissed. C.M.P.No 6869 of 2002 also would stand dismissed.

Sd/-
K.S. RADHAKRISHNAN
Judge

Sd/-
ANTONY DOMINIC
Judge

04/06/2007en

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